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8 UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
9 AT SEATTLE

10 JOHN ROBERT DEMOS, JR.,

11 Plaintiff,

12 v.

13 UNITED STATES OF AMERICA, et al.,

14 Defendants.
15

CASE NO. 22-CV-05266-LK

ORDER ADOPTING REPORT AND
RECOMMENDATION

16 **I. INTRODUCTION**

17 This matter comes before the Court on the Report and Recommendation of United States
18 Magistrate Judge Theresa L. Fricke, Dkt. No. 2, and the objections thereto filed by *pro se* Plaintiff
19 John Robert Demos, Jr., Dkt. No. 3. Mr. Demos is subject to a pre-filing bar order in this district.
20 Dkt. No. 2 at 1. Having reviewed the Report and Recommendation, Mr. Demos' objections, and
21 remaining record, the Court adopts the Report and Recommendation as set forth below.

22 **II. DISCUSSION**

23 Plaintiff is under pre-filing bar orders in a number of courts, including this Court, the
24 Eastern District of Washington, the Washington State Courts, the Ninth Circuit Court of Appeals,

1 and the United States Supreme Court. *See, e.g., Demos v. Storrie*, 507 U.S. 290, 291 (1993). Judge
2 Fricke set forth the factual background and procedural history in her Report and Recommendation,
3 and the Court will not repeat them here. *See* Dkt. No. 2 at 1–2. Mr. Demos, who is incarcerated at
4 the Washington State Penitentiary, alleges that Governor Inslee has committed treason by
5 colluding with China to expose prisoners at the Washington State Penitentiary to COVID-19. *See*
6 Dkt. No. 1-1 at 2; Dkt. No. 2 at 2. The Court reviews de novo only those portions of the Report
7 and Recommendation to which Mr. Demos has objected. 28 U.S.C. § 636(b)(1); Fed. R. Civ. P.
8 72(b)(3).

9 Mr. Demos contends that the Report and Recommendation infringes on his First
10 Amendment rights to free speech and peaceful assembly. Dkt. No. 3 at 2. He also argues that his
11 right to petition the Government for redress has been violated because the Court has not ordered
12 service on Defendants. *Id.* Beyond these conclusory assertions, Mr. Demos supplies no
13 explanatory analysis or supporting discussion. Nor do his objections address the reasons why this
14 matter is subject to dismissal. The Court therefore adopts the findings and conclusions from the
15 Report and Recommendation: (1) Mr. Demos has not paid the filing fee and has surpassed his
16 annual limit for *in forma pauperis* (“IFP”) applications; (2) Mr. Demos does not meet the
17 “imminent danger of serious physical injury” requirement in 28 U.S.C. § 1915(g); and (3) Mr.
18 Demos’ claims “are conclusory, speculative and do not appear to have any basis in law or fact.”
19 Dkt. No. 2 at 1–2.

20 III. CONCLUSION

21 For the foregoing reasons, it is hereby ORDERED that:

22 (1) the Court ADOPTS the Report and Recommendation, Dkt. No. 2;

23 (2) the Court DENIES Mr. Demos’ IFP application, Dkt. No. 1; and

24 (3) the Court DISMISSES this case with prejudice.

1 The Clerk is directed to send uncertified copies of this Order to Mr. Demos at his last
2 known address.

3 Dated this 28th day of June, 2022.

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5 Lauren King
6 United States District Judge
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